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THE DISFRANCHISEMENT OF THE NEGRO

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A SPEECH AT FANEUIL HALL

BY

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Arthur R. Wilson

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The following speech was made at a great meeting in Faneuil Hall, Boston, on the Lincoln anniversary, February 12 1903, to an audience composed largely of colored people.

With the consent of the speaker it is published with a view to furnishing accurate information to American men and women who regard human rights as paramount to markets. It is a clear, dispassionate statement of the situation ; and its ringing demand that disfranchisement of the negro " must be resisted by all lawful means," if the white man's charter of freedom is to be preserved, is a trumpet-call to black men and white men alike to stand for the supremacy of Federal power in every State of the Union.

BUTLER R. WILSON.

34 SCHOOL STREET, BOSTON, MASS.,

June, 1903.

THE DISFRANCHISEMENT OF THE NEGRO.

Fellow-citizens: —

There was a time when a call to the people of Boston to consider a great question of political rights would have crowded Faneuil Hall to the doors, and the white men would have come first. Have the white men of Boston bequeathed Faneuil Hall to the black men? Have the sons of Hancock, Adams, Otis, and Quincy abandoned the Cradle of Liberty to the sons of Ham? If they have, this meeting shows that it has passed into no unworthy hands; for Faneuil Hall was built and dedicated to liberty, and we are here to-night in her name.

Allusion has been made to the absence of the mayor. I did not come here to stand beside the mayor or any other distinguished man. I did not come to patronize you, but to take care of myself. There are some of us, at least, who understand that until every black man's rights are secure, no white man's rights are safe. And I wish you would not shout, but listen. I do not want to make you shout, but to make you think.

In order to understand clearly the situation which this meeting is called to consider, it is necessary to look back to the time when the controversy began. One of the fatal concessions made to slavery in the Constitution was that three-fifths of all the slaves should be counted in the basis of representation in Congress and in the Electoral College. In the free states, only the man could vote. In the slave states, the man and the slave-property voted. This gave the slave states an undue and unjust share of political power, which was always a subject of jealousy and recrimination between the sections, and a source of danger to the Union.

After slavery had done its utmost to wreck the government, and had finally perished by the sword, the first thing the

people did was to write into the Constitution the Thirteenth Amendment, declaring that slavery shall never again exist within the domain of the United States; and the next thing was to write into the Fourteenth Amendment a declaration that all persons born in the United States are citizens, and that, if a state shall deny or abridge the right of citizens to vote, its representation in Congress shall be cut down in the proportion in which the right is denied. This was supposed to put an end for all time to the political danger, not to say iniquity, of unequal representation of the states in Congress and in the election of president.

In 1870 they saw that it was necessary to go farther, and by the Fifteenth Amendment they absolutely forbade the states or the United States to deny or abridge the right of citizens to vote on account of race, color, or previous condition of servitude. This does not forbid a state to discriminate against ignorance, or vice, or crime, or even against poverty. It forbids discrimination against the negro because of his color alone, and it forbids nothing more. All illiterate men, all degraded men, even all poor men, can be denied the ballot, if that is what is wanted, without violating the Federal Constitution.

The South received the constitutional amendments with a sort of sullen submission so long as Federal bayonets were in sight. When the Federal troops were withdrawn from the South in 1877, the whites proceeded to strip the negro of his political rights, by mobbing and shooting him if he tried to exercise them. This disturbed some sensitive minds at the North; and, what was of more consequence, it made political capital for the Republican party. Accordingly, they looked for a better device, and found one. For shooting, they substituted cheating. The tissue ballot was as sure as the bullet, and it looked less offensive. They made no secret of this. The Charleston man who claimed to have invented them showed me his collection of fraudulent ballots in 1880, and boasted of the success of the scheme.

The Republican party kept up the attempt to vindicate the

laws and maintain the political rights of all citizens, irrespective of color, until the so-called "force bill" of 1890 had to be abandoned, because it was evident that public sentiment in the North was less resolute in support of it than was the public sentiment of the South against it, and that to press it would create "unpleasantness" with our Southern brethren.

The South took this as the signal that the North had abandoned the negro. Then they threw off the mask, and began openly and on a large scale the process of his complete disfranchisement by constitutional provisions. Mississippi led the way, South Carolina followed, then Louisiana, and Alabama, and Virginia, and so on. The country has looked on with indifference while the negro has been stripped of his constitutional rights, and a state of things established so much worse, politically, than before slavery was abolished, that while but three-fifths of the negroes were then counted in the basis of representation, they now are all counted, while the white men do the voting and exercise all the political power. In the former slave states there was in 1900 a colored population, in round numbers, of eight millions, calling for forty representatives in Congress. These forty representatives are sitting there, making laws to govern us, though few if any of them have a constitutional right to their seats. In the five states which have already disfranchised the negro by their constitutions there is a colored population, in round numbers, of four millions, practically excluded from the suffrage, while twenty representatives are sitting and voting in Congress in their right.

No reasonable man would expect any community to submit to be governed by an ignorant or corrupt negro vote. If they could plead this in excuse of what they have done, the case would be far different. They cannot plead it. They have a constitutional right to discriminate against ignorance or corruption, and to exclude every ignorant or corrupt man, white or black, from the suffrage. This they do not wish to do, and have never tried to do. Their prejudice is not against degradation, but against color. They have no con-

stitutional right to exclude the ignorant and degraded negro from the suffrage, while admitting the ignorant and degraded white man. Yet this is precisely what they undertook to do, and what they have done.

Now let us make one thing clear. There is not and never was in negro suffrage, at least since the few years immediately after the war, any danger, or any question, of negro domination in the South. The negro vote had ceased to be a controlling factor in any southern state years before the first disfranchising constitution was adopted. The pretence that there is or ever was such a danger is an absolutely false pretence. The natural allegiance of the negroes was to their old masters,—an allegiance so strong that the masters have always boasted of it. If they had accepted the negro as a citizen, with the rights of a citizen, they could and would have secured his political allegiance, or at least divided it between the political parties in such proportions that there would still have been white rule in every southern state and very likely in every county and town. The difficulty was that they *would not* accept him as a citizen. As a negro, they have no objection to him. Indeed, as a negro he is indispensable to them. And one of the leading reasons why they will not accept him as a citizen, as they openly avow, is that it will impair his usefulness as a laborer. They mean to reduce him, and they are reducing him, to a state of servitude as complete actually, if not legally, as his former state of slavery. The old axiom of the slave-owners was that “capital should own labor.” This is practically what they are now aiming at, and what they are likely to accomplish if we stand indifferent. Indeed, it is already being done. Read the peonage laws of Alabama and other states, if you doubt it.

The president, a man of convictions and of a courage sometimes misguided, seems disposed to do something for his ten millions of colored constituents; but he is hampered by political complications, and instead of bringing the whole power of the government to bear to enforce the supremacy of the

laws, in which we are all alike concerned, he has thus far contented himself with vindicating the right of the negro to a share of the Federal offices. This is of minor importance, and this alone will do the negro no good. The secretary of war, supposed to speak for the administration, is reported to have declared the other day that the attempt to confer the suffrage upon the negro is a failure and must be abandoned. A well-known newspaper writer, commenting on the secretary's speech, says that of course it is a failure and must be abandoned, because it was never anything more than a political scheme to perpetuate the power of the Republican party in the South, with neither reason nor public sentiment behind it.

Both of these gentlemen are wrong in their facts and in their conclusions. The Fifteenth Amendment was not a mere partisan device. The reasons which led to its adoption are part of the history of the country, and the assertion that it was a scheme to perpetuate the power of the Republican party betrays a discreditable ignorance of our history. Some of the men who made it, notably our great fellow-citizen Governor Boutwell, are still living. They know better than these statesmen of yesterday, and they give personal testimony of the facts. The Fifteenth Amendment was adopted by a generous people, fresh from the memories of the war, in part as a measure of justice to the negro, who had stood by us and fought for us, and who, without the ballot, was at the mercy of his masters lately in rebellion. Do the men who talk so loudly nowadays about "the honor of the country" deny that this was a good reason? More than this, it was adopted as a measure of high political wisdom, in view of the fact, which a few far-sighted statesmen saw then, and sooner or later the blindest of us will come to see, that free institutions can stand only on the basis of equal rights, and that no great body of citizens can be defrauded of their rights without corrupting the whole political body and putting in peril the rights of all the rest. And, finally, it was adopted to make impossible the very thing which the Fourteenth

Amendment left open, and which has now happened,—the actual exclusion of millions of citizens from the suffrage, while those who exclude them retain the political power to represent them in Congress and in the choice of presidents. Some of the northern apologists for this crime are fond of saying that President Lincoln never would have favored negro suffrage. One of the last declarations of Lincoln, whose prophetic vision had already forecast this issue, was that negro suffrage would have to come, on grounds both of justice and expediency. Have we abandoned Abraham Lincoln to follow Elihu Root?

If any man supposes that we can safely submit to have the fundamental law of the United States defied and set at naught by disfranchising the negro race, he is not fit to be intrusted with political power. The general reasons against it are enough, but let me put a concrete case. Some day there will be a presidential election so close that it will turn upon a handful of electoral votes. Each state has a number of electoral votes equal to the whole number of senators and representatives in Congress “to which the state may be *entitled*.” The Republican party, in order to retain power, will then be obliged to raise, and of course will raise, the question of the right of the electors of the states which have disfranchised the negro to vote in the choice of president. We shall then have this issue precipitated upon us under the most difficult and exciting conditions, and the result will be a convulsion that will shake the government to its foundations. The dispute of 1876 was but a passing breeze in comparison with the storm that may burst upon us if we leave the question to be dealt with in the fiercest heat of party passions, with the possession of the government at stake.

In the interest and for the safety of all of us alike, of white men no less than of black men, the attempt to disfranchise the negro must be resisted by every lawful means. The first means at hand is to obtain, if possible, a conclusive judicial decision of the question. Reduction of representa-

tion is not to be resorted to unless the other remedy fails, as this will be taken to recognize disfranchisement as accomplished and unalterable. I have always believed that if one of these disfranchising constitutions can be brought fairly before the Supreme Court at Washington, it will be declared void. But the diabolical ingenuity with which these charters of crime are framed makes this a difficult task. Indeed, they are framed almost as much to make it impossible to raise the question, as for the main purpose of disfranchisement. Take, for example, that of Louisiana. It provides, first, that any citizen may vote if he can read and write. Next, if he cannot read and write, he may vote if he has paid taxes on \$300 worth of property. Next,—and in this clause is the trail of the serpent,—if he cannot read and write and has not the taxable property, he may vote if he or his father or grandfather was entitled to vote January 1, 1867, and if he registers within six months. This is the notorious “grandfather” clause, invented for the purpose of letting in every poor and illiterate white man and keeping out every negro. The word was immediately passed among the poor and illiterate whites that they must register at once, and presumably they did. Before the negroes found out the situation, the time for registration under the grandfather clause had expired. But this, indeed, made little difference to them. They would not have been allowed to register under it, because they or their fathers or grandfathers had not become entitled to vote in January, 1867. And the lower court in Louisiana has held that a negro’s petition for mandamus to compel the election officers to register him is ineffectual, as the time has expired for registration under the grandfather clause, and that he cannot raise the question of the validity of the scheme as a whole, because the new constitution completely superseded the old system, and the election officers must obey it according to its terms, if valid, and, if not valid, there are no election officers who can be compelled to do anything, as they all hold under the new constitution. By such juggling is the power of the United States defied and

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set at naught. And misfortune has ordained that thus far no case properly framed to raise the main question and force a decision upon it has reached the Supreme Court at Washington. No such case should be taken there on any side issue, nor any that can only put another obstacle in the way of a real decision.

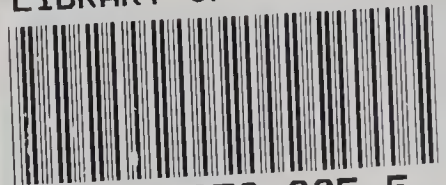
There are many people, and some friends of the negro race, who are not disposed to insist upon his right to vote; believing that he does not need the ballot, and that the controversy will tend to make his condition worse rather than better. There are those who believe that the negro will prosper if he gets education, especially industrial education. There are those who believe that he will prosper if he gets property. There are those who believe that he will prosper if he gets the ballot. I believe that to prosper he must have all three, and must have the ballot first, on equal terms with the white man. Under a government based on popular suffrage the ballot is the only weapon that will protect any man in his personal rights. The negro must work for his bread. In all the industries competition is sharp, and is constantly increasing. Put two workmen into the same field of labor, one with the ballot in his hand and the other without it, and you know what will become of the latter. He cannot compete for a livelihood upon equal terms. He will be reduced to a state of practical subjection and servitude, to which we cannot afford to have him reduced, if there were no other reason against it. The right to vote is, in this country, "the right preservative of all rights." Take it away from any man, and you leave him in a state of servitude. Take it away from the negro, and you leave him a slave, to whom every white man may dictate the terms on which he shall live. Take it away from the negro while retaining the power to sit in Congress and make laws for us in his right, and you leave us all slaves, and the white men who submit to it the meanest of all.

Let no man and no newspaper misunderstand or misrepresent this,—that we do not stand for the right of any ignorant, corrupt, or degraded man, black or white, to vote.

Exclude them all, if you will. The Federal Constitution does not forbid it. The Federal Constitution does forbid, and justice, humanity, and prudence all forbid, that race or color alone shall be a test of fitness or unfitness for the ballot. We insist, in our own right no less than in yours, that in every state of the Union black men and white men shall be admitted or excluded, no matter which, on absolutely equal terms. There has been and will be no complaint of any state that applies its tests, however severe, to all men alike. This is all the negro asks, and this is all we ask, for him or for ourselves. And if we take anything less, we confess ourselves unfit even for the remnant of our rights that our masters leave to us.

The attempt to maintain or to tolerate among us a subject class of millions, entitled to the rights of citizens but denied the exercise of them, is capable of destroying the government. The attempt to disfranchise this class, while retaining and exercising over us the political power belonging to their numbers, is a crime against every white man in the nation no less than against every Negro. The question cannot be put down or put aside. Trusts, tariffs, conflicts of labor and capital, may come and go, but this question will remain. It cannot be settled until it is settled upon the fundamental principle of justice; and the time to settle it is while it can be done peaceably, without waiting for a crisis. The movement must go on, until the rights of every citizen are as secure as the rights of any other, and until the supremacy of Federal power is vindicated in every state of the Union. The movement must go on for our security, if not for yours. It was Lincoln who said to his countrymen in 1857, "In your greedy chase to make profit of the negro, beware lest you cancel and tear to pieces the white man's charter of freedom." Have they forgotten the price they had to pay to save the white man's charter? Every dollar of it, and every drop of blood, was the price of injustice to the negro. Shall we pay the price again? — or shall we act on that prophetic admonition, and act in time?

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